BOMBAY ACT No. LIII OF 1949.[1]

[THE BOMBAY REPEALING AND AMENDING ACT, 1949.]

[*28th November 1949.*]

An Act to repeal certain enactments and to amend certain other enactments.

WHEREAS it is expedient that certain enactments specified in the First Schedule which are spent or have otherwise become unnecessary or have ceased to be in force otherwise than by express specific repeal, should be expressly and specifically repealed; and whereas it is also expedient that certain amendments should be made in certain enactments specified in the Second Schedule; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Bombay Repealing and Amending Act, 1949.

Repeal of certain enactments.

2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Amendment of certain enactments.

3. The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

THE FIRST SCHEDULE.

REPEAL.

(*See* section 2.)

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
1830	VII ..	A Regulation for bringing under the operation of the Regulations the territories comprised in the Southern Maratha Country, belonging to the Honourable Company, and forming the said territories into a zila.	Section 5.
1831	XVI ..	A Regulation for extending the jurisdiction vested in the Political Agent in the Southern Maratha Country, under the provisions of section 5, Regulation VII, A. D. 1830, to the cognizance of civil suits of the nature specified in Regulation I, A. D. 1831, and also for the better defining the extent of jurisdiction therein conferred with respect to persons of the privileged classes.	The whole.
1867	VI ..	The Bombay City Sanitary Regulation Act, 1867.	The whole.

[1]For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1949, Part V, page 1007.

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
1901	I ..	The Bombay District Municipal Act, 1901.	Clause (*d*) of sub-section (*2*) of section 15.
1925	XII ..	The Cotton Ginning and Pressing Factories Act, 1925, as amended by Bombay Act IV of 1936.	In sub-section (*1*) of section 3-A the words "and to which this Act has been extended".
1932	II ..	The Bombay Finance Act, 1932 ..	In clause (*ii*) of the entry relating to Article 17 in the first column of Schedule II in section 14, the word "and".
1939	XII ..	The Bombay Revenue Tribunal Act, 1939.	Entry No. 11 in the Schedule.
1942	XXVIII ..	The Bombay Land Improvement Schemes Act, 1942.	(1) clause (6) of section 2; and (2) in section 22 the words, brackets and figures "sub-section (*2*) of section 12".
1948	LXXI ..	The Bombay Children Act, 1948 ..	(*i*) In sub-section (*1*) of section 56 the words "provided his wife has attained the age of fourteen years"; and (*ii*) in clause (*d*) of sub-section (*2*) of section 109, the word "poor".
1948	LXXIX ...	The Bombay Shops and Establishments Act, 1948.	(*i*) in clause (*b*) of sub-section (*1*) of section 1[1], the words "dealing in goods"; (*ii*) in clause (*a*) of sub-section (*1*) of section 11, the words "dealing in goods".

THE SECOND SCHEDULE.

AMENDMENTS.

(*See* section 3.)

Year.	No.	Short title.	Extent of amendment.
1	2	3	4
1879	V	The Bombay Land Revenue Code, 1879.	In Section 58,— (*i*) in sub-section (*1*) for the words "shall give" the words "shall, at the time when such payment is received by him, give", (*ii*) in sub-section (*2*) for the words "shall give" the words "shall, at the time when such sum is received by him, give", and (*iii*) in sub-section (*3*) for the words "shall give" the words "shall, at the time when such rent or land revenue is received by him, give", shall be substituted.

Year.	No.	Short title.	Extent of amendment.
1	2	3	4
1947	XXXI	The Bombay Money-lenders Act, 1946.	(*i*) In the marginal note to section 38, for the figures and word " XXVIII of 1939 " the figures and word " XXVIII of 1947 " and (*ii*) in section 38, for the figures " 1939 " the figures " 1947 " shall be substituted.
1947	LVI	The Bombay Warehouses Act, 1947.	In section 27, for the words " Every warehouseman shall " the words " Every warehouseman shall, at the time when goods are received by him for deposit in a warehouse," shall be substituted.
1947	LVII	The Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.	(*i*) In section 26, in sub-section (*1*) after the words " any amount " the words " at the time when such amount is " shall be inserted ; and (*ii*) in the marginal note to the said section 26, for the word " rent " the words " any amount received " shall be substituted.
1949	XX	The Karnatak University Act, 1949.	(*i*) In sub-section (*2*) of section 31, for the brackets and figure " (*vi*) " the brackets and figure " (*vii*) " shall be substituted ; and (*ii*) in the Schedule, for the brackets and figures " (14) " the brackets and figures " (15) " shall be substituted.

Year.	No.	Short title.	Extent of amendment.
1	2	3	4
1889	I	The Bombay Village Sanitation Act, 1889.	In clause (*g*) of sub-section (*2*) of section 30(*B*), for the word "of" the word "or" shall be substituted.
1890	IV	The Bombay District Police Act, 1890.	(*i*) In clauses (*a*) and (*b*) of section 3 for the words "appointed under this Act" the words and figure "entertained under section 4" shall be substituted; and (*ii*) new section 65A inserted by sub-section (*12*) of section 3 of Bom. LIX of 1947 shall be renumbered as 65AA.
1892	I	The Bombay District Vaccination Act, 1892.	In the form in Schedule D for the figures "1891" the figures "1892" shall be substituted.
1902	IV	The City of Bombay Police Act, 1902.	(*i*) In clause (*b*) of section 3, for the words "appointed under this Act" the words and figure "established and entertained under section 4" shall be substituted; and (*ii*) in sub-section (*1*) of section 10, after the words "authorised in this behalf" the words "by the Provincial Government" shall be inserted.
1920	XVII	The Bombay Pleaders Act, 1920 ...	In section 11, in sub-section (*3*) for the words "shall give" the words "shall, at the time when such fee is received by him, give" shall be substituted.
1925	VII	The Bombay Co-operative Societies Act, 1925.	(*i*) In section 64, after the figures "50" the word "or" shall be inserted; (*ii*) in sub-section (*2*) of section 71,— (*a*) in clause (*ff*), for the words "Crop Protection Society" the words "Farming society", and (*b*) in clause (*kk*), for the words "crop protection scheme" the words "farming scheme" shall be substituted.
1925	XII	The Cotton Ginning and Pressing Factories Act, 1925 (as amended by Bombay Act IV of 1936).	In sub-section (*4*) of section 5, for the words "the Central Government may direct" the words "it thinks fit" shall be substituted.
1942	XXVIII	The Bombay Land Improvement Schemes Act, 1942.	In sections 14, 16, 21 and 22 and in sub-section (*4*) of section 25 for the words "the Land Improvement Officer" the words "the Divisional Soil Conservation Officer" shall be substituted.
1947	XXVII	The Bombay (Emergency Powers) Whipping Act, 1947.	In section 2 for the word "sections" the word "section" shall be substituted.